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BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

In the Matter of	)	
	)	
Connecticut Department of Public	)	
Utility Control Petition for	)	RM No. 9258
Rulemaking	)	

REPLY COMMENTS OF PAGING NETWORK, INC.

PAGING NETWORK, INC.

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To: The Commission

REPLY COMMENTS OF PAGING NETWORK, INC.

Paging Network, Inc. ("PageNet"), on behalf of its operating subsidiaries, hereby files these reply comments[1] opposing the initiation of a rulemaking proceeding to consider technology- or service-specific overlays as the Connecticut Department of Public Utility Control ("CTDPUC") requests in its Petition for Rulemaking ("CTDPUC Petition").[2] The record makes clear that the initiation of a rulemaking proceeding would further delay much needed area code relief in Connecticut and other states to the severe detriment of all users of telecommunications services.

Introduction and Summary

PageNet respectfully suggests that the Federal Communications Commission ("Commission") needs to be clear with respect to numbering issues and create bright lines in all of its actions and statements, because carriers and their customers are facing number resources crises each time State commissions venture into jurisdictionally gray areas. The Commission should make clear that the States have the authority, and the responsibility, to implement area

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1 PageNet files these reply comments pursuant to Public Notice DA 98-743, dated April 17, 1998.

2 *See* Petition Of The Connecticut Department Of Public Utility Control For Amendment To Rulemaking, filed March 30, 1998.

code relief in a timely manner to prevent number exhaust once declared by the Code Administrator. In addition, the States should be encouraged to explore ways to reduce the number of rate centers to the extent feasible, which has the potential to reduce materially the demand for NXX codes. Although Connecticut, for example, has already consolidated some rate centers, reducing the number of rate centers from 115 to 86, PageNet respectfully submits that further consolidation is possible (as evidenced by the actions of other states, such as Texas and Colorado, which would dramatically reduce the demand for NXX codes).

The overwhelming majority of commentors agree that the action requested by the CTDPUC would impermissibly discriminate against wireless customers, and therefore its petition should be denied. The record contains ample support for the existence of competition between wireline and wireless services. Moreover, mandatory wireless-specific overlays would not significantly delay number exhaust.

Rather than grant the CTDPUC Petition, the Commission should explore appropriate number conservation standards that can be administered on a technology-neutral, pro-competitive basis. To this end, the Common Carrier Bureau has requested a report on number availability and conservation from the North American Numbering Council ("NANC") no later than September 23, 1998. After NANC releases its report, the Commission should consider initiating a rulemaking proceeding to develop number conservation standards and consider whether expanding the scope of State authority over numbering issues is warranted.

Argument

I. THE OVERWHELMING MAJORITY OF COMMENTORS OPPOSE THE CTDPUC PETITION AND SERVICE-SPECIFIC OVERLAYS

The vast majority of parties who filed comments in this proceeding agree that the Commission should deny CTDPUC's petition because there is no reason to reconsider the

prohibition of technology- or service-specific overlays at this time.[3] Even among the handful of parties who offered some measure of support for CTDPUC's petition, there is recognition that wireless-specific overlays would impermissibly discriminate against wireless services unless participation is purely voluntary,[4] wireless service providers are not required to give-back numbers,[5] and ten-digit dialing is mandatory for all service providers.[6] As the record makes clear, however, the Commission should deny the CTDPUC petition because wireless-specific overlays would erect unnecessary obstacles to competition between wireline and wireless services without any tangible offsetting benefits..

A. Wireline and Wireless Services Compete For Customers

CTDPUC bases its request for rulemaking solely on its unsupported and erroneous assertion that wireline and wireless services do not compete for customers. As an initial matter, the current extent to which competition between wireline and wireless services has developed is irrelevant, because the Commission's policies are designed specifically to foster such competition.[7] CTDPUC would have the Commission discard its well-established goal of eventual full competition between wireline and wireless services merely because the emergence of such competition remains nascent. Certainly, the current level of wireline and wireless

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3 *See, e.g.,* Comments of AirTouch Communications, Inc.; Comments of AT&T Wireless Services, Inc.; Comments of Bell South Corporation; Comments of GTE Service Corp.; Comments of MCI Telecommunications Corporation; Comments of Nextel; Comments of Northcoast Communications, LLC; Comments of SBC Wireless, Inc.; Comments of SNET Cellular, Inc., SNET Mobility, Inc., and Springwich Cellular Limited Partnership; Comments of Sprint Spectrum d/b/a/ Sprint PCS; Comments of Teleport Communications Group, Inc.; Comments of TSR Wireless LLC; Comments of USTA; and Comments of Vanguard Cellular Systems, Inc.

4 *See, e.g.,* Comments of Omnipoint at 3.

5 *See, e.g.,* Comments of Bell Atlantic at 2.

6 *See, e.g., id.*

7 *See, e.g.,* Comments of AirTouch Communications, Inc.; and Comments of GTE Service Corp.

competition cannot be the touchstone for discriminatory action against wireless carriers with respect to numbering issues, since the degree of competition between new wireline local exchange service providers and incumbent LECs is also its infancy.

In any event, the overwhelming majority of commenters concur that competition between wireline and wireless services is emerging or will in the near future.[8] The record in this and other proceeding contains ample support for this conclusion. For example, BellSouth, in support of its efforts to obtain in-region interLATA operating authority, has conducted market surveys of PCS services in Louisiana. These surveys, BellSouth reports, indicate that about 17 percent of PrimeCo's and Sprint Spectrum's 8000-plus customers chose to subscribe to a PCS service instead of a wireline service.[9] Of the total number of PCS customers in Louisiana, BellSouth claims,

- ◦ 29 percent now use PCS as their primary home or business phone,
- 56 percent sometimes use PCS to receive and place calls at home, and
- 80 percent use their PCS phone rather than using the wireline service of a friend or business associate when they are away from home or work.[10]

No matter how one interprets the BellSouth surveys, it is clear that concrete manifestations of emerging competition between wireless and wireline services are to be found. Consistent with BellSouth's observations, GTE Wireless has "detected [a] shift among students, who are signing

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8 *See, e.g.*, Comments of AT&T Wireless Services, Inc.; Comments of Bell South Corporation; Comments of MCI Telecommunications Corporation; Comments of Nextel; Comments of Northcoast Communications, LLC; Comments of SBC Wireless, Inc.; Comments of SNET Cellular, Inc., SNET Mobility, Inc., and Springwich Cellular Limited Partnership; Comments of Sprint Spectrum d/b/a/ Sprint PCS; Comments of Teleport Communications Group, Inc.; Comments of TSR Wireless LLC; Comments of USTA; and Comments of Vanguard Cellular Systems, Inc.

9 *See* Brief in Support of Application by BellSouth for Provision of In-Region, InterLATA Services in Louisiana, CC Docket No. 97-231, pp. 16-17 (Nov. 6, 1997) ("BellSouth Brief").

10 *Id.*

up for cellular or PCS service rather than buying [a] separate phone line."[11] Based on developing competition between wireless and wireline services, "Sprint Spectrum's wireless objectives include not only penetration of the existing cellular market but also capturing significant wireline local telephony market share", according to market analysts Schroder Wertheim & Co., Inc.[12]

There is also evidence that substitution is occurring between cellular services and interexchange operated-assisted and credit card payphone services.[13] Moreover, many wireless carriers offer prepaid cellular calling cards and short messaging paging services, both of which are being used as a substitute for what would otherwise be landline calls.

The Commission has also recognized that "there are a number of trends apparent in the increased use of wireless telephony that may point to the eventual use of wireless telephony as not just a supplementary communications tool to traditional wireline service but as a substitute for such service."[14] As evidenced by the Calling Party Pays proceeding, the Commission is investigating ways to enable wireless carriers to "more readily compete with wireline services . . .."[15]

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11 *Industry Sees Students and Retirees Dropping Wired Phones for Wireless*, Communications Daily, September 15, 1997.

12 Schroder Wertheim & Co., Inc., Company Report – Cox Communications, Inc., dated July 9, 1996.

13 *See* Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996, Report and Order, 11 FCC Rcd 20541, 20658 (1996) (referring to Application of McCaw and AT&T, Memorandum Opinion and Order, 9 FCC Rcd 5386-5847 (1994)).

14 *Second Annual Report and Analysis of Competitive market Conditions with Respect to Commercial Mobile Services*, Federal Communications Commission, p. 53 (rel. March 25, 1997) ("*Second Annual CMS Competition Report*").

15 *See* Calling Party Pays Service Option in the Commercial Mobile Radio Services, Notice of Inquiry, WT Docket No. 97-207 (rel. Oct. 23, 1997).

The Commission has explained that the primary obstacle to wireless being a full substitute for wireline appears to be the higher costs associated with wireless, but that prices are likely to drop given the effect that additional spectrum allocations and increased number of competitors may have on the wireless market.[16] The Commission's predictions are correct: Competition is increasing and prices have plunged by an average of 46% according to some recent reports.[17] In Louisiana, for example, pricing comparisons reveal that for low-volume residential customers, a PCS subscription can be less expensive than taking the equivalent wireline intraLATA services from BellSouth.[18]

Chairman Kennard recently noted that Congress has "recognized PCS and other wireless technologies on the horizon as not just complements to the telephone network but potential competitors, and ultimately, as substitutes."[19] He explained that in order to foster competition between wireline and wireless services, it is imperative "that we have a technology neutral allocation of network resources. This means avoiding numbering exhaustion [and] overlay plans that aren't competitively neutral. . . ."[20] For this reason alone, the Commission should reject the CTDPUC petition.

B. Wireless-Specific Overlays Would Not Significantly Delay Number Exhaust.

The record makes clear that wireless carriers are able to use numbers more efficiently than wireline carriers. Because wireless customers are not tied to specific rate centers,

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16 *CMS Competition Report* at 53-55.

17 *For Wireless Services Talk Gets Far Cheaper As Competition Rages*, Wall Street Journal, 1 (April 27, 1998).

18 BellSouth Brief at 17.

19 *Remarks by William E. Kennard, Chairman, Federal Communications Commission, to CTIA WIRELESS 98*, Atlanta Georgia (Feb. 23, 1998).

20 *Id.*

providers of wireless services can use blocks of 10,000 numbers more efficiently over a broader geographic area than wireline providers, which must use a minimum of 10,000 numbers in each rate center. Typical NPAs (prior to consolidation) currently have between 50 and 150 rate centers, and some may have even more.[21] Because wireless carriers, unlike wireline carriers, utilize the same NXX code throughout a multiple-rate-center geographic area, wireless demand for NXX codes is directly related to customer demand over an extended area within a market, not artificial geographic "rate center" requirements. Moreover, wireless providers reuse telephone numbers as quickly as possible within NXX codes assigned to them, offering the numbers of former customers to new customers as soon as practical, which also limits the need for new NXX codes.[22] It is not surprising, therefore, that "many wireless providers achieve 'fill' rates as high as 80 percent."[23] In many of the major markets in which PageNet offers services, the utilization rate approaches or exceeds 90 percent.[24]

Some State PUCs have recently perceived wireless only overlays along with mandatory take-back of numbers from wireless carriers as an alternative to implementing area

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21 Comments of AirTouch at 5.

22 *Id.*

23 Comments of PCIA at 4. In order to support its contention that wireless carriers use numbers inefficiently, Ad Hoc erroneously claims that there are only 59 million wireless customers. Comments of Ad Hoc at 1. In fact, there are over 105 million wireless customers, as the Commission recently noted in its Third Annual Report to Congress On State of CMRS Competition. News Release, FCC Adopts Third Annual Report to Congress On State of CMRS, WT 98-13 (rel. May 14, 1998).

24 The relative low utilization rates of CLECs, on the other hand, is apparent from a simple comparison of the number of NXX codes assigned to new competitors relative to incumbent LECs. Currently, CLECs have been assigned about 7600 NXX codes, whereas approximately 59,000 have been assigned to ILECs. *See* Comments of Ad Hoc at 5. Thus, while CLECs hold approximately 11 percent of all numbers assigned to local exchange carriers, they currently serve only slightly more than 1 percent of all local exchange access lines. *Compare* New Paradigm Resources Group, "1998 CLEC Annual Report" (1.8 million competitive access lines as of Dec. 1997) *with* The Industry Analysis Division's Reference Book of Rates Price Indices and Household Expenditures for Telephone Service, App. 5 (March 1997) (carriers providing about 92% of access lines reported 140.3 million end user access lines during 1995).

code relief. The benefit to be derived from requiring wireless carriers to return their assigned NXXs and use a service-specific overlay is temporary and *de minimis*. As Sprint Spectrum explained in its comments, discovery submitted in a recent proceeding in which Colorado rejected a proposal to implement a wireless-specific overlay demonstrate that implementation of the proposed wireless-specific overlay would have resulted in the return of only 170 codes.[25] Given projected CLEC and ILEC demand for numbers, it was estimated that these 170 codes would likely not last more than one or two years.

The Commission has also recognized that wireless-specific overlays are not the answer to number conservation, explaining that "[w]hat extends the life span of a relief plan, however, is not so much the wireless overlay as the introduction of a new NPA with its 792 additional NXXs."[26] Similarly, the NANPA Director has explained that service-specific overlays "will almost certainly lead to waste of valuable numbering resources, and that they could be viewed as discriminatory."[27] Accordingly, the Commission should deny CTDPUC's petition.

II. WIRELESS-SPECIFIC OVERLAYS ARE LESS EFFECTIVE AND MORE DETRIMENTAL THAN OTHER AVAILABLE NUMBER CONSERVATION METHODS.

Even one of the staunchest supporters of the CTDPUC petition observes that the "long term solution for number resources management is to reduce the degree of fragmentation

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25 *See Application and Final Recommendation of the Number Plan Administrator for Relief of the 303 Area Code*, Docket No. 97A-103T, before the Public Utilities Commission of the State of Colorado, Joint Comments of Sprint Spectrum L.P. and Western Wireless Corporation (filed March 26, 1998) (attached at Exhibit B to the Comments of Sprint Spectrum).

26 Second Report and Order, 11 FCC Rcd at 19528, ¶306.

27 Letter from Ronald R. Conners, Director, North American Numbering Plan Administration to Geraldine A. Matise, Chief, Network Services Division, Common Carrier Bureau, FCC, (March 21, 1996).

in the present system, to allow the same NXX codes to be shared across larger geographic areas and among multiple local service providers."[28] As numerous commenters confirmed, the primary cause of fragmentation is that under existing assignment practices, each wireline carrier must use at least one NXX code per rate center in which it operates.[29] Thus, a new CLEC must be assigned an entire 10,000 number NXX code in each rating area in which it offers service, no matter how few numbers are actually being used to serve customers. Typical NPA's have between 50 and 150 rate centers, and some may have even more.[30] Consequently, a new CLEC wishing to serve an NPA with 100 rate centers would obtain as many as 1,000,000 numbers before begins serving a single customer. By contrast, a new wireless service provider wishing to serve the same NPA would theoretically require only 10,000 numbers until it needs more numbers to serve customer demand.

The ETI Report uses Boston as an example of number fragmentation caused by the inefficient assignment of numbers.[31] There are 47 rate centers in the Boston metropolitan area. Thus, each CLEC desiring to serve all of the Metropolitan Boston exchanges would require no less than 47 distinct NXX codes, which is approximately one-half million phone numbers. The problem is drastically magnified if the CLEC wants to serve any of the surrounding communities, because there are 81 rate centers in the 20-mile radius from downtown Boston. To see the extent of the problem, one need only multiply 81 rate centers by 10,000 numbers per NXX code, and multiply that product by the number of CLECs that choose to enter the market. There are currently nine certificated facilities-based CLECs building out networks in

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28 Economics and Technology, Inc., *Where Have All The Numbers Gone?*, attached to the Comments of the Ad Hoc Telecommunications Users Committee, at v ("ETI Report").

29 *See, e.g.*, ETI Report at iv.

30 Comments of AirTouch at 5.

31 ETI Report at 13.

the Boston area. If each wants to serve all 81 rate centers, they would need a combined total of 7,290,000 numbers. By contrast, nine wireless service providers theoretically could enter the same market with only 90,000 numbers until customer demand required them to obtain more.

A wireless specific overlay is not an effective means of number conservation, because it does not reduce number fragmentation. Wireless service providers need the same amount of numbers whether they operate in an all-service overlay or in a wireless-specific overlay. A wireless specific overlay only creates the illusion that numbers have been conserved: Each number required by a wireless service provider under an all-service overlay must be replaced by a new number in a wireless-specific overlay. Consequently, the only "conserved" numbers are actually those created by the introduction of a new area code. In other words, the exact same results could have been achieved simply by introducing a new all-service overlay, which would not discriminate against wireless carriers.

Although wireless-specific overlays are an ineffective means for conserving numbers, the record highlights other avenues for conserving numbers within the authority of the States to implement, while others, such as number pooling, may require additional delegations of authority to the States by the Commission. Given the availability of other means for conserving numbers that may not have the same discriminatory effects as wireless-specific overlays, there is absolutely no justification for initiating a rulemaking proceeding to consider wireless-specific overlays. Rate center consolidation is a significant means of conservation that states should consider for which additional authority is not required. Number pooling, properly implemented, must also be encouraged by the Commission, as it has recognized by directing the establishment of a working group and rapid preparation of recommendations to permit national standards to be developed. In any event, consideration of number conservation methods should never delay the

introduction of new area codes.

A. Rate Center Consolidation Is An Effective Means Of Conserving Numbers That States Can Implement Under Current FCC Rules.

The record provides ample support for the proposition that rate center consolidation can drastically reduce unnecessary demand for numbers and delay the need to introduce new NXX codes. Rate center consolidation is much more effective than wireless-specific overlays because it directly address the problem of fragmentation. In fact, it is widely recognized that the fragmentation caused by multiple rate centers is "one of the largest causes of the demand for additional NXX codes."[32] For example, if Boston were to reduce its number of rate centers from 81 to 30, it could conserve as many as 510,000 numbers for each CLEC.

Not only is rate center consolidation an extremely effective means for conserving numbers, but it can be implemented without undue burden to consumers, CLECs or ILECs. As the ETI Report explains:

> Expansion of calling areas and elimination of calling areas and elimination of distance-based charges may have small negative revenue impacts on the incumbent LEC, but these pale in magnitude to the huge tangible and intangible costs associated with the introduction of new area codes. Moreover any minor revenue effects of rate center consolidation can be easily remedied through other offsetting tariff revisions, such as through small upward adjustments to the measured usage charges or to flat monthly usage rates.[33]

Multiple rate centers were used to recover distance-based cost through toll-based pricing.[34] In recent years, however, cost is decreasingly distance dependent: "Fiber optics and digital carrier systems have all but eliminated *distance* as a significant cost driver which, when coupled with the economies of scale that are present in large digital electronic central office switches, make it

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32 ETI Report at 26.

33 ETI Report at 27.

34 ETI Report at 12 ("The *sole* rational for retaining extreme granularity in rating areas has been so that *prices* for individual calls could be tied in some manner to *distance*.").

far more efficient to serve multiple small communities out of one relatively large switching entity."[35] Consequently, there is no longer a need for the large number of rate centers that exist in Connecticut and many states today.

Connecticut and other states could conserve far more numbers by further consolidating rate centers than it could by implementing wireless-specific overlays. By further consolidating rate centers, Connecticut could remove the obstacles that prevent wireline carriers from using numbers as efficiently as wireless carriers currently use numbers.[36] In this regard, Connecticut and other jurisdictions could look to Colorado and Texas as models.

In January 1998, the Texas PUC issued an order consolidating rate centers in the Dallas, Houston, and Austin metropolitan areas. The PUC, considering 59 rate centers within Southwestern Bell operations, was able to reduce this number to only 23 rate centers *without any impact on local calling scope or rates.* The PUC, considering an additional, 18 rate centers within GTE and Sprint operating territories in these metro areas, was able to reduce this number by another 8.[37] In addition, outside the central metropolitan district, the Texas PUC is considering further reductions within non-metro exchanges which would lead to reductions in the number of non-metro rate centers in these three areas by 80-90 percent.[38] The logic behind the Texas PUC's action was ineluctable: "NXX Codes are assigned on the basis of rate centers. Consequently if the number of rate centers are reduced through consolidation, the need for NXX codes should be reduced for each code holder."[39]

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35 ETI Report at 11.

36 *See* Comments of Sprint Spectrum at 7-8.

37 *See* Number Conservation Measures in Texas, Order No. 1, Docket No. 473-96-2285 (Jan. 12, 1998) ("*Texas Order No. 1*"); Texas Number Conservation Task Force Report, Options Nos. 1 & 3 (Dec. 4, 1997) ("*Texas Task Force Report*").

38 *See Texas Order No. 1*; *Texas Task Force Report*, Options Nos. 6 & 8.

39 *Texas Order No. 1*, ¶5.

Colorado, even more recently, made significant reductions in the number of rate centers within area code 303, which includes Denver. In brief, the Colorado PUC reduced the number of rate centers from 43 to 16. The PUC found that the reduction would improve the efficient use of numbers and create an expanded local calling area, more than offsetting the modest expected increase in local residential calling rates of approximately *50 cents* a month and the "somewhat greater" increase in local business rates.[40] Interestingly, the PUC noted that were it to adopt a less aggressive plan of consolidation than it did, there would been confusion for callers, a result avoided by the more extensive consolidation.[41]

Thus, the examples of Texas and Colorado make clear that extensive benefits in the reduction of the strain on numbering resources can be made through rate center consolidation. Such consolidation can have no or limited impact on ,local calling rates in many instances, slight costs that may be offset by expanded local calling rates and the availability of additional NXX codes. The States should be encouraged to evaluate rate center consolidation as a type of number conservation clearly within their authority to implement, which does not have a discriminatory impact against any class of carriers.

B. Number Pooling, If Implemented Properly, Could Be An Effective Means Of Conserving Numbers That States Could Implement Under Current FCC Rules.

Number pooling, like rate center consolidation, directly addresses the problem of number fragmentation. Number pooling allows carriers to share 10,000 number NXX codes between multiple carriers by creating a "pool" of stock numbers within the full code until actually needed by individual carriers. Rather than assigning numbers in blocks of 10,000,

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40 Rate Center Consolidation with the 303 Area Code, 97M-548T, ¶¶ 9-10 (Col. PUC May 5, 1998).

41 *Id.*, ¶10.

numbers could be assigned in blocks of 1,000, which could reduce the number of assigned but unused numbers by a magnitude of ten.

It is undisputed that long-term Local Number Portability ("LNP") is a prerequisite to successful number pooling of blocks of less than 10,000 numbers each.[42] PageNet, like all other wireless carriers, is not yet able to provide LNP. The FCC has given cellular and PCS carriers until June 30, 1999, to implement number portability and has ruled that paging carriers cannot currently be ordered to participate in number portability programs.[43]

Despite the inability of wireless carriers to provide LNP, the Commission and the state PUCs should jointly develop and implement national standards to allow all carriers to participate in number pooling on a nondiscriminatory basis. For example, until wireless carriers can implement portability, they should be eligible for entire blocks of 10,000 numbers that have

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42 As the Industry Numbering Committee ("INC") explained in its recently released *Initial Report To The North American Numbering Council ("NANC") On Number Pooling Version 2* (December 4, 1997) ("*INC Report*"), "any implementation of pooling can only be supported if permanent LRN LNP is available." *INC Report* at 10. Given the inextricable link between number portability and pooling, INC recognized that it was only fair that "[s]ervice providers should not be required to participate in number pooling before they are required to offer local number portability." *Id.* at 14.

43 *Telephone Number Portability*, First Report and Order, 11 FCC Rcd 8352, 8433-34 (1996) ("*First Report and Order*"); *Telephone Number Portability*, First Memorandum Opinion and Order on Reconsideration, FCC 97-74, at ¶ 134 (March 11, 1997). The FCC's wireless LNP implementation deadlines are under appeal and could be further delayed by the court or by the Wireless Telecommunications Bureau pursuant to its delegated authority. *See Bell Atlantic NYNEX Mobile, Inc. v. FCC*, No. 97-9551 (10th Cir.) (Briefs for Petitioners filed October 22, 1997). Moreover, the FCC has recently issued for public comment a request by the Cellular Telecommunications Industry Association ("CTIA") for an extension of the wireless deadline until March 31, 2000. *See Wireless Telecommunications Bureau Seeks Comment on CTIA Petition for Waiver to Extend the Implementation Deadlines of Wireless Number Portability*, DA 97-2579 (Dec. 9, 1997). CTIA states in its petition that the technical problems are proving more difficult to overcome than the wireless industry had previously thought, requiring a nine-month extension. If granted, wireless carriers would implement number portability two years later than wireline carriers and their ability to participate fully in pooling would be similarly delayed.

been returned by other carriers, while wireline carriers enjoy the benefits of assignments of pooled resources of smaller blocks. Wireless carriers, until they can participate fully in pooling through number portability, should not be required to participate in mandatory number take-backs. Thus, wireline carriers could contribute all unused blocks of 1,000 numbers to a common pool and would receive additional blocks of 1,000 numbers as needed, whereas wireless carriers would receive blocks of 10,000 numbers.

These are merely general suggestions. Industry and administrative focus should be on review and comment on the report to be provided to the Commission by the NANC working group instituted last month at the behest of the Chief of the Common Carrier Bureau. The Commission should move quickly to allow for public review of the report when it become available in four months, with an eye toward rapid implementation of appropriate pooling and other conservation method on a national basis.

III. THE COMMISSION SHOULD MAKE CLEAR THAT STATES CANNOT DELAY AREA CODE RELIEF TO CONSIDER SERVICE-SPECIFIC OVERLAYS.

In addition to denying the CTDPUC Petition, PageNet respectfully suggests that the Commission should seek in each of its actions and statements to create bright lines with respect to numbering issues. Although the Commission has already made clear that wireless-specific overlays are unacceptable, it needs to make clear in denying the CTDPUC petition that consideration of new or previously rejected number conservation methods should never stand in the way of granting area code relief in the form of a geographic split or an all-service overlay. Each time a state delays the grant of area code relief as required under current Commission rules or requests a rule change, it creates a numbering crisis for all carriers. The proposals often prompt legal challenges that have typically resulted in the state granting area code relief after

months or years of unnecessary delay.

PageNet applauds the Commission's efforts to explore appropriate number conservation standards that can be administered on a technology-neutral, pro-competitive basis. Moreover, PageNet supports the Common Carrier Bureau's request that NANC create a report on number availability and conservation no later than September 23, 1998. After NANC releases its report, the Commission should consider initiating a rulemaking proceeding to develop number conservation standards and review the scope of State authority over numbering issues.

In the interim, the Commission should make clear that the States have the authority, and the responsibility, to implement area code relief in a timely manner to prevent number exhaust. In addition, the States should be encouraged to explore ways to reduce the number of rate centers to the extent feasible, which would materially reduce the demand for NXX codes.

Conclusion

For the foregoing reasons, PageNet respectfully requests that the Commission deny the CTDPUC Petition. The Commission should also take the opportunity to reiterate that the states have the authority to implement area code relief and the responsibility to do so in a timely manner.

Respectfully submitted,

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May 18, 1998

CERTIFICATE OF SERVICE

I, Todd D. Daubert, hereby certify that, on this 18th day of May, 1998 a copy of the foregoing Reply Comments of Paging Network, Inc. was sent via first-class mail, postage prepaid, to the following:

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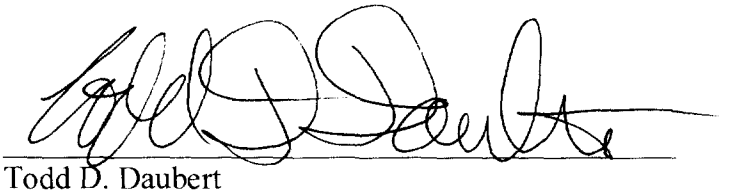

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